

107TH CONGRESS
2D SESSION

H. R. 4917

To provide for an exchange of lands with the United Water Conservation District of California to eliminate private inholdings in the Los Padres National Forest, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2002

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for an exchange of lands with the United Water Conservation District of California to eliminate private inholdings in the Los Padres National Forest, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Los Padres National
5 Forest Land Exchange Act of 2002”.

6 **SEC. 2. LAND EXCHANGE, LOS PADRES NATIONAL FOREST,**
7 **CALIFORNIA.**

8 (a) EXCHANGE AUTHORIZED.—

1 (1) IN GENERAL.—If the United Water Con-
2 servation District of California (in this section re-
3 ferred to as the “District”) conveys to the Secretary
4 of Agriculture (in this section referred to as the
5 “Secretary”) all of right, title, and interest of the
6 District in and to the lands described in subsection
7 (b)(1), the Secretary shall convey to the District, in
8 exchange for such lands, all right, title, and interest
9 of the United States in and to the National Forest
10 System lands described in subsection (b)(2).

11 (2) EXISTING RIGHTS.—The conveyance of Na-
12 tional Forest System lands under this section shall
13 be subject to valid existing rights and to such terms,
14 conditions, and reservations as may be required by
15 this section or considered necessary by the Sec-
16 retary.

17 (3) TIME FOR EXCHANGE.—The Secretary and
18 the District shall endeavor to complete the exchange
19 in a timely manner.

20 (b) EXCHANGE LANDS.—

21 (1) LANDS TO BE CONVEYED BY DISTRICT.—
22 The lands to be conveyed by the District under this
23 section consist of approximately 340 acres as fol-
24 lows:

1 (A) “Tract A”—Approximately 40 acres,
2 located in township 5 north, range 18 west, sec-
3 tion 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base and
4 meridian.

5 (B) “Tract B”—Approximately 40 acres,
6 located in township 5 north, range 18 west, sec-
7 tion 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$, San Bernardino base and
8 meridian.

9 (C) “Tract C”—Approximately 80 acres,
10 located in township 5 north, range 18 west, sec-
11 tion 16, S $\frac{1}{2}$ SE $\frac{1}{4}$, San Bernardino base and
12 meridian.

13 (D) “Tract D”—Approximately 160 acres,
14 located in township 5 north, range 18 west, sec-
15 tion 21, NE $\frac{1}{4}$, San Bernardino base and me-
16 ridian.

17 (E) “Tract E”—Approximately 20 acres,
18 located in township 5 north, range 18 west, sec-
19 tion 15, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, San Bernardino base
20 and meridian.

21 (2) LANDS TO BE CONVEYED BY SECRETARY.—
22 The National Forest System lands to be conveyed by
23 the Secretary under this section consist of approxi-
24 mately 420 acres as follows:

1 (A) “Tract 1”—Approximately 80 acres,
2 located in township 5 north, range 18 west, sec-
3 tion 10, E $\frac{1}{2}$ SW $\frac{1}{4}$, San Bernardino base and
4 meridian.

5 (B) “Tract 2”—Approximately 40 acres,
6 located in township 5 north, range 18 west, sec-
7 tion 15, NE $\frac{1}{4}$ NW $\frac{1}{4}$, San Bernardino base and
8 meridian.

9 (C) “Tract 3”—Approximately 40 acres,
10 located in township 5 north, range 18 west, sec-
11 tion 15, SW $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base and
12 meridian.

13 (D) “Tract 4”—Approximately 10 acres,
14 located in township 5 north, range 18 west, sec-
15 tion 22, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, San Bernardino
16 base and meridian.

17 (E) “Tract 5”—Approximately 20 acres,
18 located in township 5 north, range 18 west, sec-
19 tion 22, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base
20 and meridian.

21 (F) “Tract 6”—Approximately 40 acres,
22 located in township 5 north, range 18 west, sec-
23 tion 22, SW $\frac{1}{4}$ SE $\frac{1}{4}$, San Bernardino base and
24 meridian.

1 (G) “Tract 7”—Approximately 80 acres,
2 located in township 5 north, range 18 west, sec-
3 tion 22, E $\frac{1}{2}$ SW $\frac{1}{4}$, San Bernardino base and
4 meridian.

5 (H) “Tract 8”—Approximately 20 acres,
6 located in township 5 north, range 18 west, sec-
7 tion 22, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, San Bernardino base
8 and meridian.

9 (I) “Tract 9”—Approximately 80 acres, lo-
10 cated in township 5 north, range 18 west, sec-
11 tion 27, W $\frac{1}{2}$ NE $\frac{1}{4}$, San Bernardino base and
12 meridian.

13 (J) “Tract 10”—Approximately 10 acres,
14 located in township 5 north, range 18 west, sec-
15 tion 27, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, San Bernardino
16 base and meridian.

17 (3) CORRECTIONS TO LEGAL DESCRIPTIONS.—
18 By mutual agreement, the Secretary and the Dis-
19 trict may adjust the legal descriptions contained in
20 this subsection to correct errors or to make minor
21 adjustments in the lands to be exchanged.

22 (c) PROCESSING OF LAND EXCHANGE.—

23 (1) IN GENERAL.—Except as otherwise pro-
24 vided in this section, the Secretary shall process the
25 land exchange under this section in accordance with

1 Forest Service land exchange regulations in subpart
2 A of part 254 of title 36, Code of Federal Regula-
3 tions.

4 (2) TITLE STANDARDS.—The Secretary shall
5 require that title to the District lands acquired by
6 the Secretary under this section is in conformity
7 with the title standards of the Attorney General of
8 the United States.

9 (d) EASEMENTS AND ACCESS.—

10 (1) RESERVATION.—In the conveyance of the
11 National Forest System lands authorized by this
12 section, the Secretary shall reserve easements for all
13 roads and trails that the Secretary considers to be
14 necessary or desirable to provide for administrative
15 purposes and to ensure public access to National
16 Forest System lands. In particular, the Secretary
17 shall reserve perpetual unrestricted rights of pedes-
18 trian access to the Potholes trailhead of the Los Pa-
19 dres National Forest.

20 (2) ACCESSIBILITY.—In the case of the District
21 lands acquired by the Secretary under this section,
22 the Secretary shall provide reasonable access to pri-
23 vately owned inholdings consistent with section
24 1323(a) of the Alaska National Interest Lands Con-
25 servation Act (16 U.S.C. 3210(a)).

1 (3) CONSTRUCTION OF PARKING LOT.—As a
2 condition on the receipt of National Forest System
3 lands under this section, the District shall agree to
4 construct a gravel parking area upon District lands
5 for the Potholes trailhead of the Los Padres Na-
6 tional Forest, subject to the following requirements:

7 (A) The District may reasonably regulate
8 vehicular access to the trailhead in accordance
9 with rules and regulations promulgated in ac-
10 cordance with applicable law.

11 (B) Foot traffic to the trailhead shall be
12 perpetual and unrestricted.

13 (e) SPECIAL USE AUTHORIZATION AND EASE-
14 MENTS.—All special use authorizations and term ease-
15 ments issued by the Secretary with respect to the National
16 Forest System lands described in subsection (b)(2) shall
17 not be renewed or reauthorized after the date of enact-
18 ment of this Act.

19 (f) WATER RIGHTS.—The land exchange authorized
20 by this section does not include any water rights owned
21 by the District or the United States.

22 (g) CASH EQUALIZATION.—

23 (1) LIMITS WAIVED.—The District or the Sec-
24 retary, as appropriate, may equalize the values of
25 the lands to be exchanged under this section by a

1 cash payment without regard to any statutory limit
2 on the amount of such a cash equalization payment.

3 (2) DISPOSITION AND USE OF FUNDS.—Any
4 cash equalization payment received by the Secretary
5 under this section shall be deposited into the fund
6 established by Public Law 90–171 (commonly known
7 as the Sisk Act; 16 U.S.C. 484a). The payment shall
8 be available to the Secretary for expenditure, with-
9 out further appropriation, for the acquisition, con-
10 struction, or improvement of administrative or rec-
11 reational facilities for the Los Padres National For-
12 est in Ventura County, Santa Barbara County, and
13 San Luis Obispo County, California, or for the ac-
14 quisition of land or interests in land in such coun-
15 ties.

16 (h) MANAGEMENT OF ACQUIRED LANDS.—The Dis-
17 trict lands acquired by the Secretary under this section
18 shall be added to and administered as part of the Los Pa-
19 dres National Forest in accordance with the laws and reg-
20 ulations applicable to that national forest.

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